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S E C R E T SECTION 01 OF 03 BAGHDAD 002347

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TAGS: [PREL](#) [PGOV](#) [IZ](#)

SUBJECT: THE DEPUTY SECRETARY'S MEETING MAY 19 MEETING WITH
IRAQ TNA SPEAKER HAJIM HASSANI

Classified By: classified by david m. satterfield, charge d'affaires, f

or reasons 1.4 (b) and (d).

[1](#)1. (U) PARTICIPANTS:
U.S.

THE DEPUTY SECRETARY
CHARGE D'AFFAIRES JAMES JEFFREY
AMBASSADOR RICHARD JONES, COORDINATOR FOR IRAQ
AMBASSADOR DAVID SATTERFIELD, DCM
AMBASSADOR ROSS WILSON, EXECUTIVE ASSISTANT
MS. CHRISTINE DAVIES, SPECIAL ASSISTANT
MS. ROB WALLER, SPECIAL ASSISTANT
MR. ADMAN ERELI, SPOKESPERSON
MR. SCOTT CARPENTER, NEA DAS
MR. PETER GANSER, EMBASSY NOTETAKER
IRAQ

NATIONAL ASSEMBLY SPEAKER HAJIM AL HASSANI
MR. SABAH TALAT KADRAT, CHIEF OF PROTOCOL

[1](#)2. (S) SUMMARY: The Deputy Secretary highlighted to TNA Speaker Hassani on May 19 the importance of including Sunni Arabs in the constitution development process. Hassani responded that only by adding Sunni representatives to the National Assembly's Constitution Drafting Committee would Sunnis achieve equal representation. Hassani confirmed that there was support for using the Transitional Administrative Law (TAL) as the basis for the new constitution and opined that the August 15 deadline would be achievable if the TAL was used as the basis. The Deputy Secretary counseled against any extension to the August 15 deadline, as it would embolden the insurgency. The Deputy Secretary urged Hassani to keep the Independent Electoral Commission well funded and focused for the upcoming referendum. The Deputy Secretary stressed the importance of an ITG public position against sectarian violence. END SUMMARY.

AN INCLUSIVE CONSTITUTION MAKING PROCESS

[1](#)3. (S) The Deputy Secretary urged Speaker Hassani to ensure the equal participation of Sunni Arabs in the constitution development process. Sunni inclusion is a critical element of creating a new political process in Iraq, said the Deputy Secretary, and will help combat the insurgency. The Deputy

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Secretary also emphasized the importance of reaching out to

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and engaging the Iraqi people in the constitution-making process as a key process step in any successful constitution development process.

[1](#)4. (S) Speaker Hassani said the TNA had created a 55-member constitution drafting committee, only two of whom are Sunnis. The lack of Sunni Arab representation on the committee would be problematic stated Hassani, and needs to be rectified. Discussions between the Kurds and List 169 members to resolve the matter are proceeding with two concepts under consideration. The first concept is a separate constitutional commission with full and equal participation by Sunni members. Any draft constitution from the commission would require the approval of the full committee. The second concept is a twenty-member consultancy body external to the TNA with ten Sunni members. Under either scenario, Sunnis will not receive "full and equal" standing, declared Hassani. Only by expanding the committee to include 29 additional Sunni members, or 79 members in total, would the Sunnis achieve full and equal participation.

TAL AS BASIS FOR PERMANENT CONSTITUTION

[1](#)5. (S) Deputy Secretary Zoellick spoke of the relevance and importance of using the TAL as a basis for the new constitution and asked how Hassani saw the August 15 deadline. Hassani opined that the August 15 timeline would be doable only if the TAL served as the foundation for the new permanent constitution. Two groups, the Kurds and Allawi's party, endorse the use of the TAL, stated Hassani, and even some List 169 members support the use of the TAL as

a constitutional foundation. If the TAL is not used as the basis, said Hassani, it would be very difficult to complete the draft constitution by August 15. He added that a significant factor affecting the chances for timely completion would be whether the Iraqi people engage on the constitution's development.

16. (S) The Deputy Secretary cautioned Hassani that he should be very circumspect in exercising the use of the extension. The work will expand to fill the time of the extension, emphasized the Deputy Secretary. Any slippage in the timeline will embolden the insurgency and do harm to the interests of the Iraqi government.

ELECTION FRAMEWORK AND PREPARATIONS

17. (S) Pointing to the significant role the Independent Electoral Commission of Iraq (IECI) will have in supporting the political process, the Deputy Secretary urged Hassani to keep the IECI well-funded and focused on its work. Hassani indicated that the TNA had just finished establishing its rules and committees but will soon reach out to and work closely with the IECI to assist them. Hassani also mentioned that the TNA's legal committee would work with the IECI to draft a new electoral law. He added that he would not support an extension of the ITG and would press for elections in December with or without a constitution.⁸

LOCAL GOVERNANCE

18. (S) The Deputy Secretary encouraged Hassani to develop political support for the Transitional Government by empowering local officials. Hassani commented that local officials in some areas were making progress, but in most areas the large political parties dominate the agenda and do not allow the emergence of new leadership.

19. (S) Addressing private sector capacity, the Deputy Secretary urged Hassani to build the private sector through

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programs such as a micro-loan program, which could help increase employment throughout Iraq. Hassani agreed with the Deputy Secretary that the private sector should receive the attention and support of the Iraqi Transitional Government (ITG). Hassani said he would also encourage investors from outside Iraq to help develop the private sector.

SECTARIAN VIOLENCE

10. (S) Addressing the recent upswing in sectarian violence in Iraq, the Deputy Secretary spoke of the need for religious and government leaders in Iraq and the Muslim world to make strong public statements condemning sectarian violence and those, like Zarqawi, who seek to foment it. The threat is real that this violence could lead to more serious strife within Iraq, he warned. The democratically elected government of Iraq has considerable legitimacy and should use that political capital to make a clear and forceful statement condemning this violence. The Deputy Secretary noted that action, combined with clear and forceful statements, could set the proper tone at this critical juncture.

11. (S) Hassani agreed with the Deputy Secretary that immediate action was needed to address sectarian violence. Observing that the streets of Baghdad are controlled by militias,⁸ Hassani expressed alarm at rumors of police involvement in recent assassinations. He opined that while statements are needed, the ITG also needs to take practical steps to head off this strife before it turns into a civil war. There are some who are purposely committing these acts for the sole purposes of keeping the Sunnis out of the political process, claimed Hassani. The Deputy Secretary assured Hassani the U.S. would do everything possible to help identify the perpetrators of the violence and stop it.

Justice Sector

12. (S) The Deputy Secretary spoke of the importance of the independent judiciary and rule of law in Iraq and solicited the TNA's plans to bolster the justice sector. Hassani agreed with the Deputy Secretary on the need for a strong and independent judiciary and opined that some judges, however, are still under the influence of the executive branch. Pointing to the recent arrests of former Ministers in the Interim Government, Hassani indicated that this is an attempt by the current government to retaliate against the former government of Prime Minister Allawi.

U.S.) EU SUMMIT

13. (S) Addressing the upcoming E.U.) U.S. Summit on Iraq, the Deputy Secretary emphasized to Hassani the need to have a clear and prioritized plan to present to the international donor community. While the Summit is not explicitly a donor conference, stated the Deputy Secretary, this is Iraq's opportunity to reinforce and help its political process via international support to key sectors within Iraq such as electricity, water, and agriculture.
Jeffrey